

■ **Main Office**
445 Hamilton Avenue
White Plains, NY 10601
Phone 914.946.4777
Fax 914.946.6868

■ **Mid-Hudson Office**
200 Westage Business Center
Fishkill, NY 12524
Phone 845.896.0120

■ **New York City Office**
505 Park Avenue
New York, NY 10022
Phone 646.794.5747

September 30, 2019

Regional Freedom of Information Officer
U.S. EPA, Region 2
290 Broadway, 26th Floor
New York, NY 10007-1866

VIDYA SINGH
Paralegal
Vsingh@kblaw.com

Re: Freedom of Information Act

Dear Freedom of Information Officer:

Under the provisions of the New York Freedom of Information Law, Article 6 of the Public Officer's Law ("FOIL"), I request access to the following records¹:

- All records maintained by the Environmental Protection Agency, including but not limited to letters, memorandums, notices and reports concerning (i) C&D Power Systems (C&D Batteries), (ii) NYSDEC Site No. 336001 and (iii) EPA ID No. NYD064337298 covering the time period from 2010 through the present. The address of the site is Route 209, Deer Park, New York 12746.

If this request fails to reasonably describe the records, please contact me in writing or by phone at 914-946-4777. Electronic production of responsive records is preferred. If responsive records are available in hardcopies only, I will pay the statutory production cost of \$0.25 per page, subject to advance notice if the estimated production cost exceeds \$50.00. If this FOIL request or any portion hereof is denied, please communicate the reason for your denial of access in writing as soon as possible. Please notify me when these documents are available as well as the cost for copying same.

¹ FOIL defines the term "record" as:


"... any information kept, held, filed, produced or reproduced by, with or for an agency or the state legislature, in any physical form whatsoever including, but not limited to reports, statements, examinations, memoranda, opinions, folders, files, books, manuals, pamphlets, forms, papers, designs, drawings, maps, photos, letters, microfilms, computer tapes or discs, rules, regulations or codes."

N.Y. Pub. Off. Law §86(4) (McKinney's 2016).

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As you know, the Freedom of Information Law requires that an agency respond to a request within five (5) business days of receiving the request. Therefore, I would appreciate a response as soon as possible and look forward to hearing from you shortly. If for any reason this FOIL request is denied, please inform me of the reasons for the denial.

Very truly yours,


Vidya Singh
Paralegal

VS/
ecc: Nicholas M. Ward-Willis, Esq.